

REMARKS

Reconsideration of this application is respectfully requested in view of the following remarks.

Claims 1-16 are currently pending in the application and subject to examination.

In the Office Action mailed April 16, 2007, the Examiner rejected claims 1-8 under 35 U.S.C. § 102(a) as being unpatentable over U.S. Patent No. 5,966,108 to Ditzik ("Ditzik") in view of U.S. Publication No. 2004/0140964 to Wang et al. ("Wang"); and claims 9-16 as being unpatentable over Ditzik in view of Wang and further in view of U.S. Patent No. 6,716,575 to Kurosowa et al. ("Kurosowa"). The Applicant hereby traverses the rejections, as follows.

Applicant's invention as set forth in claim 1 is directed to a position encoded sensing device including, in part, a light guiding layers disposed on a display panel, the light guiding layer including a light guiding plate, at least one light source disposed at one side edge of the light guiding plate, and wherein the light guiding layer is configured to have encoded information therein; and a transceiver for detecting light and the encoded information that are outputted from the light guiding layer.

This provides a more simplified module structure without requiring additional control circuitries, and enables thinner and lighter weight displays.

Ditzik teaches combining the use of a standard pen/stylus emitter film with a fiber optic faceplate in order to improve parallax. The Office Action notes that Ditzik does not disclose or suggest at least the combination of a light guiding layer including a light guiding plate, at least one light source disposed at one side edge of the light guiding

plate, and wherein the light guiding plate is configured to have encoded information therein, as recited in claim 1.

The Office Action asserts that Wang teaches a light guiding plate with a light source disposed at the side edge of the light guiding plate, wherein the light guiding plate is configured to have encoded information and that it would have been obvious to combine Wang with Ditzik.

The Applicants submit that not only would it not be obvious to combine the light guiding plate of Wang with the light guiding layer of Ditzik, but that such a combination would fail to function.

If the light guide plate of Wang were incorporated into Ditzik, the light guide layer including the fiber optic faceplate would not pass light. Thus, combining Wang with Ditzik would cause the light guiding function of the light guiding layer to fail. Furthermore, the light guide plate with encoding information of Wang cannot be combined with the pen positioning electronics used to cut off light passing through the optical fiber faceplate of Ditzik.

A proposed modification cannot render a prior art reference unsatisfactory for its intended purpose. See MPEP § 2143.01. Combining the light guide plate of Wang with Ditzik would destroy the function of the light guide layer of Ditzik and would cause the positioning feature of Ditzik to fail.

Therefore, the Applicants submit that the light guide plate of Wang cannot be combined with Ditzik.

For at least this reason, the Applicant submits that claim 1 is allowable over the cited art. For similar reasons, the Applicant submits that claims 9 and 13 are likewise

allowable. As claims 1, 9, and 13 are allowable, the Applicant submits that claims 2-8, 10-12, and 14-16, which depend from allowable claims 1, 9, and 13, are therefore also allowable at least for the above noted reason and for the additional subject matter recited therein.

CONCLUSION

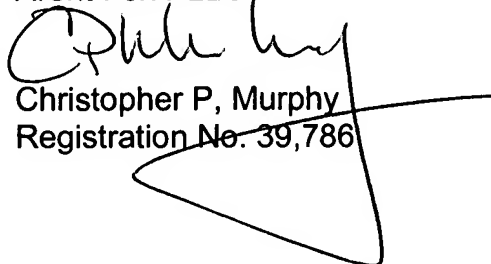
For all of the above reasons, it is respectfully submitted that the claims now pending patentability distinguish the present invention from the cited references. Accordingly, reconsideration and withdrawal of the outstanding rejections and an issuance of a Notice of Allowance are earnestly solicited.

Should the Examiner determine that any further action is necessary to place this application into condition for allowance, the Examiner is encouraged to telephone the undersigned representative at the number listed below.

In the event this paper is not considered to be timely filed, the Applicants hereby petition for an appropriate extension of time. The fee for this extension may be charged to our Deposit Account No. 01-2300. The Commissioner is hereby authorized to charge any fee deficiency or credit any overpayment associated with this communication to Deposit Account No. 01-2300 with reference to Attorney Docket No. 025789-00005.

Respectfully submitted,

Arent Fox PLLC

A handwritten signature in black ink, appearing to read "Chris Murphy", is written over the printed name and registration number.

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